

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**CITY OF WARR ACRES**  
**TUESDAY**  
**FEBRUARY 4, 2003**  
**7:00 P.M.**

1. Declaration of a quorum present, Call to Order, Flag Salute and Invocation.

The invocation was given by Pastor Bill Axton from 50<sup>th</sup> Street Church of Christ.

**ROLL CALL**

Mayor Chris Wood  
Vice-Mayor Justin Frisbie  
Councilman Barry Curl  
Councilman Garry Stephens  
Councilman Greg Hayes  
Councilman J.M. Morales  
Councilman Walter Johnson  
Councilman Bob Wehba  
Councilman Tommy Pike

**DEPARTMENT HEADS & CONSULTANTS PRESENT**

Pamela McDowell-Ramirez, Acting City Clerk  
Bob Cunningham, Fire Chief  
Roger Patty, Police Chief  
Mike Turman, City Inspector  
Robert Beasley, Asst. City Inspector  
Wiley Rice, City Planner  
Attorney, Dave Shumake

2. Presentation of Twenty-Five (25) year pins to Judge Larry Cassil, Councilman Barry Curl and City Planner Wiley Rice.

The Mayor presented 25 year pins from OML to Judge Larry Cassil, City Planner Wiley Rice and Councilman Barry Curl.

3. **CONSENT DOCKET:** (individual items may be deleted from the consent docket for discussion and action under #3.

A. Approval of Minutes – Regular City Council Meeting January 7, 2003  
Special City Council Meeting January 13, 2003  
Special City Council Meeting January 16, 2003

B. Report of Expenditures	General Fund	\$55,261.43
	Street & Alley	\$ 6,904.96
	Insurance Contg.	\$ 596.18

C. Approval of Proposed Expenditures for January 2003. \*\*\*

Councilman Morales asked that item B be removed from the consent docket for discussion.

Motion by Frisbie, second by Hayes to approve the Consent docket items A and C.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Pike and Wood.

“Nays” None.

Motion passed unanimously.

4. Discussion and action on items removed from the consent docket.

Councilman Morales questioned the cost of a pair of boots for \$209. Chief Patty explained that this officer was testing this type boot, they had heard this was a new boot that would give longer lasting service.

Motion by Morales, second by Pike to approve item B from the Consent docket.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Pike and Wood.

“Nays” None.

Motion passed unanimously.

5. Reports from Staff. Police, Fire, City Clerk, City Inspector, Street, Sanitation Sewer and City Engineer.

Engineer Barrett stated there had been a meeting on the Ann Arbor project and that SBC should have the lines moved within the week and that OKC Water had been delayed while they waited on parts. The parts were now in and OKC should have the lines completed within the next couple of weeks. They should be ready for ODOT by the end of February.

6. Discussion and action on Ordinance No. 977 An Ordinance of The City of Warr Acres, Oklahoma Municipal Code Amending Title 8, Chapter 8, Section 8.08.150 COMMERCIAL USER FEES”; and By Providing For Repealer, Severability and Declaring an Emergency. (To revise sanitation ordinance) \*\*\*\*\*

Councilman Pike asked if item 7 could also be discussed at the same time. Mayor Wood asked Attorney Shumake if there would be a problem with this and he stated as long as a vote on each item was done separately there was no problem.

Councilman Wehba entered the meeting at 7:15 pm.

Motion by Morales, second by Frisbie to approve Ordinance #977.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Webha and Wood.  
“Nays” Johnson and Pike.

Motion passed.

7. Discussion and action on lowering the sanitation fees for Warr Acres residents. (Pike)

Councilman Pike stated he believed that Ordinance #917 allowed for apartments to be charged the \$10 per unit charge and questioned why it was never enforced. Councilman Frisbie stated that both the residential and commercial rates were raised at the same time. Mayor Wood stated that this confusion was the reason Ordinance #977 was written, to clarify who was to be charged the \$10 per unit charge. Apartments are charged the commercial rate for dumpsters. Councilman Johnson stated that there were eight votes for Ordinance #917 to raise the rates. Councilman Pike state he assumed that all rates had been changed. Councilman Morales stated commercial rates were raised and therefore the apartments were hit with the increased fee also. Councilman Frisbie stated that the Utility committee met and came up with Ordinance #977. The Council asked Attorney Shumake to write an Ordinance addressing charges for excess garbage.\*\*\*\*\*

This item will be placed on the March meeting with an Ordinance.

8. Discussion and action to transfer money from Garage Capital Outlay tire machine to Sanitation Department to purchase dumpsters. (Morales)

Councilman Morales asked Sanitation Supervisor Earl Hayes to speak on the need for additional dumpsters. Mr. Hayes stated that at the present time the city did not have enough dumpsters to supply all the current businesses, such as Chili's who now has a private hauler but would like to switch to city services, and there are a few new businesses that will be opening soon and there are not any dumpsters for these businesses either. Mr. Hayes presented each of the Councilmembers with a list of the cost for the proposed new dumpsters and the monthly charge to businesses for each of the dumpsters. Garage mechanic Jim Kellogg was in attendance and was asked about the need for the tire machine. He stated that he really did not need it nor did he really need another item that was budgeted for if the city would like to use that money to purchase additional dumpsters. Councilman Pike asked Mr. Kellogg if tire tool was required for safety and Mr. Kellogg stated that it was not. There was discussion concerning a cage for the garage and it was decided to only transfer \$6000 of the \$7500 budgeted so there would still be money allotted so that a cage could be purchased. There was some money left in the Sanitation capital outlay budget so the full amount was not needed to transfer.

Motion by Morales, second by Hayes to allow the transfer of \$6000 to the Sanitation department for the purchase of additional dumpsters.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba and Wood.  
“Nays” Pike.

Motion passed.

9. Discussion and action regarding fees for debris cleanup, \$125 per hour/one hour minimum, excluding emergency or citywide cleanups. (Stephens/Wehba) \*\*\*\*

Councilman Stephens questioned Mr. Hayes as to what amount of limbs would require the use of the chipper instead of normal garbage pick-up. Councilman Stephens stated if someone has a tree cut down and the contractor does not remove it then the city should charge for the city’s time and removal of the tree. Also time limits should be set for major storm clean up. Attorney Shumake was asked to draft an Ordinance and have it ready for the March meeting.

10. Discussion and action on appointing members to the Utility Billing committee.

Councilmen Morales, Stephens and the Mayor all volunteered for this committee.

11. Discussion and action on licensing of all businesses and contractors doing business in Warr Acres. (Johnson) \*\*\*\*

Councilman Johnson stated that a contractor had taken advantage of a citizen and the city needed to have stricter penalties for such cases. He stated that he had spoken with Detective Davidofsky and understood that there were no ordinances that would help the police in prosecuting such offences. He would like for Attorney Shumake to draft an Ordinance providing for penalties on contractors not licensed in the city and also draft an Ordinance pertaining to massage parlors.

12. Discussion and action on Drainage improvements to Hammond Avenue at the intersection of NW 34<sup>th</sup> Street.

Councilman Stephens stated he had not yet spoken with Bethany about the possibility of their help with the cost of improvements by including it in their budget for next year.

13. Discussion and action to authorize advertisement for bids for body armor for the Police Department. (29 male, 1 female) (Patty)

Chief Patty stated that he would like to purchase 28 or 29 vests for his officers depending on what the council wanted him to do. He stated that at this time he could do without purchasing the female vest and one male vest since they were only around 1 ½ years old, however, Officer Hobbs vest would need to be replaced within a year and requested that the city go ahead and purchase it along with the others so that the city could take full advantage of the grant money that

was available. There is a grant available that, due to the size of Warr Acres, would allow for 50% reimbursement.

Motion by Wehba, second by Frisbie to approve the advertisement for bids on 29 body armor to include Officer Hobbs.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

14. Discussion and action regarding transfer of appropriations to the Redevelopment Trust Authority. \*\*\*\*

There was some discussion as to where the money was being transferred from.

Motion by Morales, second by Frisbie to approve the transfer of appropriations.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

15. Discussion and action on cars being parked on grass. (Wehba) \*\*\*\*\*

Councilman Wehba stated that the Ordinance on parking on the grass should be removed from the books since it was not being applied equally across the city. There are households that have three drivers and three cars but only have room on their driveways for one car. Chief Patty stated the Ordinance is confusing and the citizens don't understand it. Chief Patty said that since this issue was brought up concerning Victory Christian Center the calls have doubled to the police department. He stated that Victory has added a service and is trying to keep people from parking on the grass. He was asked by the council to look into possible correction especially at 10.84.045 D and possibly taking it to the Traffic Commission and come back next month with the information.

16. Discussion and action on De-annexing Twin Lakes Apartments from Warr Acres. (Wehba) \*\*\*\*\*

Councilman Wehba stated that he had gone with Sanitation Supervisor Hayes to Twin Lakes to try and address the problems. Lew McGinnis stated that he would like to withdrawal is request to be de-annexed. He stated that he has spoken with many of the councilmembers and feels that things are changing for the better.

17. Questions and Comments from Warr Acres Residents.

Jessie Simmons spoke on the issue of contractors that cut down trees are responsible for removal of the wood. The city should send out a letter stating that if the contractor does not remove the wood then they will be charged by the city to remove it. He stated the garbage service is great and there is no need to change it and apartments should be charged commercial rates.

18. Questions and Comments from Warr Acres City Councilman.

Councilman Pike asked why Chief Cunningham did not receive his 25-year pin and was told by the Mayor that he did not feel he should be the one to give it to him. Councilman Pike also stated that on February 18<sup>th</sup> there would be a luncheon at the Community Center and Congressman Istook would be there to speak and everyone was welcome.

Councilman Wehba addressed again the issue of the alleyway at 39<sup>th</sup> and Ann Arbor. He stated if it belonged to the city then they needed to take care of it or allow the property owners to maintain it. He also requested that an Ordinance be drafted for the next meeting concerning prohibiting drug rehab facilities.

Councilman Frisbie stated that he had been questioned as to why nothing had been done on the Ann Arbor project. He stated that a letter had been sent out, informing the citizens in the area of the reasons for the delay.

Councilman Curl said that ODOT needed to be contacted and something needed to be done at Northwest Highway and MacArthur that the northbound traffic turning west was hazardous.

Councilman Stephens stated he would get with Bethany on the drainage problem on 34<sup>th</sup>. He also stated that the eastbound south turn lane on Northwest Highway needed to be lengthened. He also wanted to know the status of the Fire investigation.

Mayor Wood informed the council that on March 12<sup>th</sup> there will be a Table top drill held at City Hall dealing with a chemical spill and all were invited. He also informed them that the city would be able to be connected with other agencies by using their present radios through a program put together by Sheriff Whetsel. COMAR, Central Oklahoma Mutual Aid Radio, allows all emergency agencies in Oklahoma County to communicate with each other over a frequency that was opened up when Edmond switched to 800 mhz radios.

19. Executive Session to discuss promotions within the fire department, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B) (1), Discussing the employment, hiring, appointment, promotion,

demotion, disciplining or resignation of any individual salaried public officer or employee.

20. Discussion and action on contract and negotiations with FOP Lodge #145 and the City of Warr Acres, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B) (2), Discussing negotiations concerning employees and representatives of employee groups.

Motion by Wehba, second by Johnson to enter into Executive Session asking the Chief's to stay.

"Yeas" Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

"Nays" None.

Motion passed unanimously.

The council took a short break and entered into Executive Session at 8:48 pm.

Councilman Curl re-entered the Council Chambers at 9:10 pm.

The returned to open session at 9:40 pm.

No Action Taken.

Motion by Stephens, second by Hayes to approve the promotions recommended by the Fire Chief.

"Yeas" Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

"Nays" None.

Motion passed unanimously.

Motion by Stephens, second by Johnson to retain Attorney Kevin Donelson to handle the FOP contract negotiations.

"Yeas" Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

"Nays" None.

Motion passed unanimously.

21. New Business ("New Business" is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a ("surprise nature")).

None.

22. Mayor Wood adjourned the meeting at 9:41 pm.

Respectfully submitted,

Pamela McDowell-Ramirez  
Acting City Clerk



**MINUTES**  
**CITY OF WARR ACRES**  
**PUBLIC WORKS AUTHORITY MEETING**  
**5930 NW 49<sup>TH</sup>**  
**WARR ACRES, OKLAHOMA**  
**FEBRUARY 4, 2003**  
**TUESDAY**

1. The Mayor called the meeting to order at 9:42 pm.
2. Approve the minutes of the Regular Warr Acres Public Works Authority Meeting of January 7, 2003.

Councilman Morales asked that a correction be made to the minutes showing that he was present not absent and make the correction to the date to 2003.

Motion by Pike, second by Stephens to approve the minutes with the correction.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

3. Approve payment of claim in the amount of \$59,594.98 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of January 2003.

Motion by Pike, second by Wehba to approve the payment to the Bethany-Warr Acres Public Works Authority.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

4. Chairman Wood adjourned the meeting at 9:44 pm.

Respectfully submitted,

Pamela McDowell-Ramirez  
Acting City Clerk

**MINUTES**  
**MEETING OF THE TRUSTEES OF THE WARR ACRES**  
**ECONOMIC DEVELOPMENT AUTHORITY**  
5930 NW 49<sup>TH</sup> STREET,  
WARR ACRES, OKLAHOMA  
FEBRUARY 4, 2003  
TUESDAY

1. The meeting was called to order at 9:45 pm.
2. Approval of minutes of the Meeting of Economic Development Authority Regular Meeting of January 7, 2003.

Councilman Morales stated that the minutes needed to be changed showing he was present and not absent and also the date needed to be 2003.

Motion by Wehba, second by Pike to approve the minutes with the changes.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

3. Discussion and action on Landlord Estoppel Certificate.

The council asked Attorney Shumake if he say any problems with this certificate and he stated he did not.

Motion by Stephens, second by Pike to approve the signing of the Landlord Estoppel Certificate.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

4. Discussion and action on purchasing Brochures for the City.

Councilman Frisbie stated the brochures would be a great marketing tool to draw business to Warr Acres and for new comers. Councilman Wehba asked if possibly SNU or maybe Putnam City High School could do these for the city as a project. Councilman Pike stated that the Kiwanis have brochures maybe they could work with the city. Councilman Morales stated that in Edmond the

businesses helped the city with their brochures. It was decided that the city needed to find better cost option and possibly volunteers to work on the brochure.

Motion by Wehba, second by Morales to Table.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

5. Discussion and action on purchase and sale of property and incentives, including entering into Executive Session as allowed under 25 O.S. Supp 307 (C) 9, all nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces, or study group supported in whole or part by public funds, or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.

No Executive Session.

6. Chairman Wood adjourned the meeting at 9:58 pm.

Respectfully submitted,

Pamela McDowell-Ramirez  
Acting City Clerk

**MINUTES**  
**CITY OF WARR ACRES**  
**REDEVELOPMENT TRUST AUTHORITY MEETING**  
**5930 NW 49<sup>TH</sup> STREET**  
**WARR ACRES, OKLAHOMA**  
**FEBRUARY 4, 2003**  
**TUESDAY**

1. The meeting was called to order at 9:59 pm.
2. Approval of Redevelopment Trust Meeting Minutes January 7, 2003, and Special Meeting January 16, 2003.

Councilman Morales stated he was present at the meeting and the minutes needed to be changed to reflect that, and also the date needed to be changed to 2003.

Motion by Wehba, second by Pike to approve the minutes with the changes.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

3. Discussion and action on Case #CIV-01-1500T Salt Creek, L.P. vs. City of Warr Acres lawsuit, including discussion and action on entering in Executive Session as allowed under 25 O.S. Supp. 307 (B) 4, Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.
4. Discussion and action on purchase and sale of property, including entering into Executive Session as allowed under 25 O.S. Supp 307 (C) 9, All nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces, or study group supported in whole or part by public funds, or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.

Motion by Morales, second by Frisbie to enter into Executive Session.

“Yeas” Frisbie, Curl, Stephens, Hayes, Morales, Johnson, Wehba, Pike and Wood.

“Nays” None.

Motion passed unanimously.

The Trust entered into Executive Session and 10:01 pm.

The Trust was back in regular session at 10:10 pm.

No Action Taken.

5. Questions and Comments from Trust members.

None.

6. Call to the Public.

None.

7. Chairman Wood adjourned the meeting at 10:11 pm.

Respectfully submitted,

Pamela McDowell-Ramirez  
Acting City Clerk